G. R. S. 58

Previous references.

(19)

1903-4

(police.)

File No. 470/03-4

Serial Nos. 1—5

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1— 5

Part B. for

SUBJECT.

Appeal of G. Venkataswamy, ex- 2nd grade Head Constable, K. G. D. against the order of dismissible passed by the Dist Supt of police and confirmed by the D. C. of Kolar.

[illegible] Regd No 2267/G30.3/04. from the [illegible] Venkataswamy, late 2nd Grade Head Constable.

Complains that the Dist. Supt of police has unjustly dismissed him from service and prays that he may be reinstated in service.

✓ 2. [illegible]

Forwards serial No. 1. for report.

✓ 3. [illegible] GPB—8,000—7-4-07 [illegible] of police, [illegible].

In reply to the above forwards the Minute of the Dist. Supt. of police giving the regd information

4. No. 2 C 2 / 9 / 11. 1. 04 to the D. S. of Police

~~Passes Orders~~ Passes Orders on the above stating that the Govt Consider that the extreme punishment of dismissal is ~~not~~ unmerited for and therefore direct the D-S. to ~~for~~ recruit two petitioners in some place other than Gold fields where there is a suitable vacancy.

√ 5.

Informs him of the above.

Mysore Government
General & Revenue Secretariat.

File No. (if any)

Directions.—

No., date and purport of receipts to be entered in red, and office note in black ink in order of dates.—To be written only on one side, and inside the line of margin.

Office Note.

Branch — judicial. fls 1-5

Subject. — Appeal —

Petition No 2267 dated the 30th March 1904 from C. Venkata-samy, late 2nd Head Constable Kolar Gold fields, Submitting an appeal against the order of his dismissal from service passed by the Dy Superintendent of Police, K.G.F. and Confirmed by the Dy. Commissioner.

The Dewan's orders on the Petition "I do not see any order of the Inspector General of Police - If he has declined to interfere call for papers and report"

(Sd) P.N.K
31-III-

The Petition was accordingly forwarded to the Inspector General of Police for report with records.

The Inspector Genl, in his Submits the records and states that the minute of Mr Thomas forwarded with the records puts the whole case perfectly clearly and that his order of ~~this~~ dismissal has been confirmed by both the Deputy Commr and the late

Flx 7

Inspector General of Police Mr Madiah.

The fault to necessitating the Petitioner's dismissal as set forth in the minute of Mr Thomas are: —

(1) Neglect of duty in Connection with the investigation of a case of assault by an European with a Knife

(2) Extortion (suspected) in a criminal case investigated by the Petitioner.

The Petitioner states that the charge of extortion brought against him was false that it resulted in his acquittal and that 4 constables Charged jointly with him who were also discharged like him have been drafted for duty as usual. He further states that Chief Constable Mahomed Sagur Khan and Head Constable Narasimaloo professed enmity towards him and got him dismissed.

He prays that he may be reinstated in his appointment.

Submitted for orders

31/5/04

Put up the order (of 1902) about the A.S.P. Police referred to both by Petr & by the Inspector of Police. A copy of G.O. No 12192-95 / 2-986 to put up 5/6/04

* This is not in the records but the Petr states in his Petn that the Govt also declined to interfere

† Reg Z

The Petitioner was discharged as the evidence was biassed, discrepant "and tinged with suspicion" "throughout" & was quite "insufficient to make out a "prima facie case" "against the accused."

The petitioner, who is an ex-Head Constable of the U.P. Police, bore a good character before he joined the Police dept. He also obtained rewards on 3 separate occasions for good service as Head Constable; a fact which seems to show that Mr Thomas' assertion that "ever since his transfer to executive work his conduct has been unsatisfactory throughout" is not free from exaggeration.

Of the two charges specified in Mr Thomas' memo, one (that of extortion) was held by the trying magistrate not to be proved. The other related to allegations which he was found guilty in connection with an investigation.

Both cases showed, however, that the man was not an efficient police officer. As shown by G.O. No 1219-95-J-98 & 97 dtd 13th Jan? 1902, it is stated that if Police officers employed on the Secret fail to give satisfaction there, they will be liable to be discharged, & no expectation can be held out to [illegible] of [illegible] being promoted to

the general Mission Dress. Strictly speaking, therefore, the petitioner's prayer for re-instatement cannot be entertained, if an appointment must be decided of fine satisfaction.

Rightly however, Sowtmay held that such a reception a milder punishment, or a change to the regular service or the clerical work in the Mission office in which he was formerly employed, would have sufficiently met the requirements of the case.

Instructions are solicited as to the orders to be passed in the case.

Jo Dewan 19124

2.6.04

18119
3.6.04

I would suggest on grounds of dismissal on two means, adjustment would give him a trial in some place other than field where there may be a suitable vacancy, let me see the draft order in D.S's confirmation order not in the record.

3.VI.04

Please note the Dewans desire to see the draft order

4/6/04

18192
7.6.14

draft submitted, also in Encl to file

6/6/04

Jo Dewan

5.6.04

I do not see any ord of the Inspector Genl of Police If he has declined to entertain call for papers and report

(Sd) P. Nath
31/3/04

Petr & Enclosures up
Nagaraj
11.4.04

To Genl B
5/4/04
Done Nagaraj 3 Encl
15.4.04

J 1587

1904

No. 226

Name of Petitioner C. Venkatadasamy, late 2nd Grade Head Constable of Police in Kolar Gold Fields

Village

Taluk

District Bangalore

Date of Arzi 30/3/04

Date of Receipt 4/4/04

Date of Disposal

No. of Enclosure 3

ABSTRACT

States that he was dismissed at the instance by the District Superintendent of Police while the other Constables who were charged with the petr. for extortion & equally discharged with him were reinstated for duty as usual and that his appeal to the Inspector Genl of Police has not been taken consideration.

MGCPB—5,000—10-11-02

Perhaps that the pet. be reinstated
to enforce their justice

Copies of testimony and
letters to post are enclosed.

bl
11/6/06

Serial (1)

Bangalore 3rd March 1904.

Mysore Government
General and Revenue Secretariat
Petition Department
Reg'd No 2267 R
Date 4 6 1904

To,

Sir P.N.Krishna Murthi K.C.I.E.,

Dewan of Mysore,

Bangalore.

3 enclosures

The humble petition of C.Venkataswamy, late 2nd. grade Head Constable of Police in the Kolar Gold Fields, residing in Arab Lines in the C & M Station of Bangalore

Respectfully sheweth,

2267

That the petitioner, after 3 years faithful and creditable service, was, on the 16th.September 1903, given notice by the District Superintendent of Police, that his services would be dispensed with from the 29th.July 1903.

That from the 29th.July to 16th.September 1903, petitioner was under suspension pending a charge against him and 4 others, which resulted in his discharge (vide copy of Judgment in Criminal case No.59 of 03-04 on the file of the 1st Class Magistrate, Kolar Gold Fields Government V.S. C.Venkataswamy and 4 others acquitting the appellant for want of evidence).

That during the period of suspension, petitioner drew no pay, nor had he drawn any since his being discharged on the grave and serious charge on which he was arraigned, and in which the District Superintendent of Police conducted the prosecution in person, after holding the preliminary enquiry.

That the petitioner accordingly had to make over charge to his successor, and is at present out of empdoyment; he being the sole support of his family.

That the petitioner has been unable to make out the reasons which have led the District Superintendent of Police to deprive him of his livelihood.

That the petitioner submits the orders in his case were not passed in persuance of any general

policy of retrenchment.

That the petitioner begs to point out that during his 3 years service in the Kolar Gold Fields Police Force,he uniformly conducted himself well ,and during the period of his service,viz:- seven years in H.M.King's Army, more than one Officer of his corps 14thM.I,has borne testimony to his excellent charactar,industry and devotion to duty.(vide copies of testimonials attached hereto).

That the rules of service and practice require that ,before an employe is removed,he must be called upon to show cause why he should not be so removed. This course is followed even in case of temporary suspension, but in your petitioner's case ,orders were passed without reference to anything he had to say in his defence.

That the petitioner is unaware how he deserved the punishment inflicted upon him. If there be however,any circumstance against him,he will be glad to have an oppertunity to explain himself.

That the petitioner has been removed from the service at a time of life when it will be difficult for him to secure an appointment elsewhere. The orders will,therefore,weigh upon him with particular hardship, especially in view of the fact that he is a poor and honest man.

That in order to enable you Sir,to understand fully the circumstances of his case,your petitioner, with due defference begs to submit the following synopsis of the same.

That in 1900,petitioner was enlisted in the Kolar Gold Fields Police Force as a 3 rd.grade Head Constable on the recommendation of Mr.Ferguson (now District Superintendent of Police-Travancore),and posted to the Office of the District Superintendent of Police at Kolar in the capacity of a clerk.

That petitioner worked for 2 consecutive years as clerk,and by dint persevearance and energy met with the approbation of his superior Officers,and was promoted to 2 nd Grade Head Constable That

That subsequently ,petitioner at his own request was transferred to Executive duty ,a transfer, which petitioner humbly begs to submit would not have been sanctioned by the District Superintendent of Police,if petitioner had only the capacity for clerical work.

That petitioner as 2 nd Grade Head Constable discharged his multifarious duties to the best of his power and abilities,and not seldom to the sacrifice of his personal health and even life.

That during the tenure of his office as 2nd Grade Head Constable ,petitioner ,for the meritorious services rendered by him was on no less than 3 occassions awarded rewards for his detective skill,and never did his name figure in the defaulters column.(vide service book attached hereto).

That from the date of transfer of the petitioner to Executive duty ,he has cogent reasons to believe,and is in a position to substantiate that,Chief Constable Mahomed Tague Khan and Head Constable Narasim maloo have been inimical to his interests ,and left no stone unturned to work his ruin and get him dismissed the Police Force which they have now accomplished . The motive that may be attributed to their entertaining hos feelings against petitioner,are briefly as follows;-

Chief Constable Mahomed Tague Khan has a brother named Mahomed Baqueer Hussain Khan employed as bell-man at the shaft head of Ribbledales Shaft in the Marikuppam Mines. In consequence of information received by Petitioner that the said Mahomed Baqueer Hussain Khan was in the habit of claudistinely carrying gold quartz from the Mines to Bisanatham for disposal,petitioner,in the discharge of his duties ,laid in wait for him together with 2 other Police Constables. Petitioner searched Mahomed Baqueer Hussain Khan en route to Bisanatham,on two separate occassions,but on both did not succeed in recovering any quartz of gold. At this Chief Constable

Mahomed

Mahomed Tague Khan was infuriated at the proceedure adopted by petitioner ,and from thenceforth sought to wreak his revenge upon petitioner

Finding all his machinations prove fotile Chief Constable Mahomed Tague Khan had recourse to a Stratagem.

On the 25 th July 1903,he preferred a false charge of extortion against petitionerand four other Police Constables,and pending the trial,petitioner was placed under suspension-without any pay-which has not been refunded to him,although petitioner left the Court without a stain on his character.

The prosecution was conducted by the District Superintendent of Police,Kolar Gold Fields,before the learned District & Special Magistrate of the Kolar Gold Fields,on the 30 th July 1903.

After examining the witnesses for the prosecution,and without calling upon the defence ,the learned Magistrate,discharged the petitioner on the 17th.August 1903,and characterized the case as a false and concocted one.

That pending the above case ,and whilst your petitioner was still under suspension Head Constable Narasimmaloo with the avowed object of prejudicing the mind of the District Superintendent of Police entered a false report in the Marikuppam Station Station House diary on the 20 th.August 1903,to the effect that the petitioner was drunk and disorderly,and asaulted a boy in Butler Lines, a locality behind the Marikuppam Police Station.

That this report was in the ordinary course of business submitted to the Distrit Superintendent of Police by Chief Constable Mahomed Tague Khan.

That Mr.Everard ,who was then acting Inspector of Police Marikuppam Division,held an enquiry into the matter and arrived at the conclusion that the very Head Constable Narasimmaloo was the aggresor. It was proved that Head Constable Narasimmaloo was drunk and disorderly on the even
-ing

in question,and that it was he who assaulted the boy above referred to.

That the said boy preferred a complaint about being assaulted at the Marikuppam Police station,but the same was not entertained as the assailant was Head Constable Narasimmaloo.

That the said boy subsequently proceeded to the Champion Reefs head Station and reported the facts of the occurrance there ,and the Station House Officer Abdul Razack referred him to the Magistrate.

That your petitioner being then under suspension cannot vouch for the fact that the false entry against him in the Station diary was submitted by the Acting Inspector Mr.Everard to the District Superintendent. of Police. But petitioner begs to submit that this instance alone is amply sufficient to demonstrate the hostile feelings entertained by Head Constable Narasimmaloo and Chief Constable Mahomed Tague Khan towards him.

Petitioner was on the 4 th.September 03 called upon by the District Superintendent of Police at his Office,and there asked to submit his resignation without any reason being assigned for the same.

That petitioner declined to do so,fully cons-cious of his innocence , and that on the 16 th.of September 03 petitioner received an order from the District Super-intendent of Police dispensing with his services from the Police Force from 29-7-03 viz; the date of his suspension; where-as the other 4 Constables who were charged with petitioner for extortion and equally discharged with him were drafted for duty as usual.

It is alleged by the District Superintendent of Police that petitioner is unfit for the special Force organized under Government Proceedings of February 1902 and brought into force in the same year. Petitioner respectfully begs to submit that he was not enlisted under the K.G.F.special Force Rulings and that the order in question is the out come of the inimical feelings entertained

against him by Chief Constable Mohomed Tague Khan and Head Constable Narsimlu, solely and wholly with the object of getting him dismissed from the Police Force.

That your petitioner was enlisted in 1900 or in other words prior to the introduction of the Police Force Rulings in 1902, and it is impossible for the District Superintendent of Police to declare conscientiuosly that it look him the long space of 2 years to discover his capacity, whereas on the other hand it can be satisfactorily proved from the service book that during these 2 years, petitioner was temporarily promoted to the 2 nd. Grade Head Constable on the 4th June 1901 and again on the 19-6-02 he was promoted 2 nd Grade on 6 months probation. In addition to this he was in October 1902 awarded a reward of Rs 10/- again of Rs 3/- and finally Rs 5/- for his good services in detection . This was since his transfer to Executive duties.

That petitioner humbly begs to state that he has appealled to the Deputy Commissioner Kolar Gold Fields and the Inspector General of Police to redress his grievances, but those authorities declined to interfere with the orders passed by the District Superintendent of Police

That your petitioner in this predicament has no other alternative but to lay his case before you , Sir, together with the documents necessary to substantiate his statements and copies of testimanials of his charact from the officers of the 14th. Regiment M.I.

That petitioner in conclusion earnestly pray that justice will be meted out to him, and that you , Sir as the Dewan of Mysore who has earned a name a fame fo your strict sense of justice and impartial judgment wi be pleased to re-instate your petitioner in the Polic and revoke or cancel such orders as have been passed against him detrimental to his interests.

And

And as in duty bound your petitioner will ever pray.

Signature

C. Venkatsami

Address.

C. Venkatsami
C/o C. Pamphlett, Writer
Office of Ko: 9 & 19 Party
Survey of India
Kempleton
Kaisinery Road
Ooty

COPIES OF TESTIMONIALS.

Orderly Room

14 th.Madras Infantry

Madras 21 st.January 1896.

Private C.Venkataswamy 14 th.Regiment M.I. takes his discharge at his own request with a"very good " character. He is a smart man reads and writes English and would I think make a good clerk.

S/D-A.G.Burn Liut.Col.

Commanding 14 th.Regiment M.I.

@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@

I have known Private C.Venkataswamy late of 14 th. Regiment M.I. for about 10 years the last 6 of which he has been doing writer's work in the Quarter Master's Office and Left Wing office of the Regiment. He is a smart and capable lad,and I hope he may soon find some suitable employment,which he is anxious to get,having taken his discharge from the service. He bore an"Excellent" character in the Regiment,in which he enlisted originally as Recruit Boy.

S/D- Stuart Graham Captain

Fort St.George 14 th.Regiment M.I.

Madras. Offg.Garrison Quarter Master
13 -5-96.

@@@@@@@@@@@@@@@@@@@

Copy of Service Book of 2nd Gde H.C. Lon: C. Venkatsami

1 Name. C. Venkatsami.
2 Caste or Race. Telinga (Hindu)
3 Residence. Chicacole Ganjam District
4 Father's Name & Residence. C. Durgayya, Chicacole.
5 Age. 29 Years.
6 Height. 5 Feet 6 1/4 inches.
7 Personal marks for identification. A Tallo mark on forehead & a
8 Date of entry in the Service. 1-9-1900. wound mark in the left forearm.

month & date	Good Service, Promotions &c
1.9.1900	Enlisted as 3rd Gde Head Constable on Rs 16 + 6 Temporarily.
4.6.1901	Temporarily promoted to 2nd Grade Head Constable during the absence of Head Clerk Kothandaramiah on sick leave.
18.6.1902	Promoted to 2nd Gde Head Constable on six months probation vice Govindrajulu Pillai promoted. To take effect from 1-6-1902.
1.10.1902	Transferred to executive duty from the D.S. P's office & posted to A. Division.
25.10.1902	Awarded a reward of Rs 10/- for his good Services, in securing the arrest of one Sarah Thayee in possession of quantity of gold Value Rs 60/- (case No: 10/47).
5.1.1903	Awarded a reward of Rs 3/- By the Asst Commr Excise Supdt Kolar District for his good Services in securing the arrest of one Tattina Bee for selling arrack without a Licence in K.G.F limits.
17.6.1903	Awarded a reward of Rs 5/- by the Officer Commanding 4th Regiment Madras Sappers Bangalore, for his good Services in securing the arrest of one Deserter Private No: 3581 Ramasami of his Corps in Kolar Gold Fields limits.

14th (Regiment) Madras Infantry

Extract from the Regimental Register

No. 3883 C. Venkatsami enlisted on the 17th July 1888 at the probable age of Eighteen years at Bellary —.
By Lieut Colonel D. MacNeill C.B. Commanding 14th Regiment M.I.

Description of No. 3883 C. Venkatsami

Born in the Town of Mangalore.
Probable year of birth 20th August 1870.
Caste - Telinga (Hindu)
Size. 5 feet 5 3/8 inches
Particular appearance. Bamboo Colour.

Regiment	Promotions Reductions &c.	Rank	Period of Service in each rank From	To	Amount of Service Yrs.	Days.	
9 Regt No 7	Enlisted	Pension Boy	22-11-71	25-2-83	Under age.		Discharged at Madras on the 17th January 1896 at his own request. Vide Asst Adjt General Madras District No. A/93 dated 8th January 1896 after a period of Seven years one hundred and eighty four days Service.
	Transferred	Recruit Boy	26-2-83	16-7-88			
	do	Private	17.7.88.	16-7-91	3	"	
	Entitled for G.C. Pay	3rd Class	17.7.91	21-9-93	2	67	
	Promoted	Lance Naique	22-9-93	16-7-94	"	298	
	Entitled to G.C. Pay	2nd class	17-7-94	21-5-95	"	309	
	Resigned the rank of Lance Naique at own request.	Irte 2nd class	22-5-95	16-1-96.	"	240	Character when discharged "Good."
				Total	7	184	

(True Extract)

s/d H. Hegworth Lieut
Adjutant 14th Regimental Dep

s/d A.G. Burn Lieut Colonel
Commanding 14th Regt M.I.

(2)

To Mysore Govt Genl & Rev: Secretariat

~~MYSORE DEWAN'S OFFICE.~~

PETITION DEPARTMENT.

No. 2202 & 1814/04

OFFICIAL MEMORANDUM.

The accompanying ~~Appeal~~ Petition No. 2267 dated 30-3-04 received at the ~~Dewan's Office~~ Secretariat from C. Venkatasawmy, late 2nd Grade Head Constable of Police, Kolar Gold Fields, now residing in Arab Lines, C & M. Station, Bangalore praying for reinstatement

is forwarded, together with its three enclosures, to the ~~Deputy Commissioner~~ Inspector General of Police in Mysore ~~District~~ for submission of the entire proceedings connected with the case, together with a full report of the facts of the case, and on the points urged in the petition.

2. The petition with its enclosure should be returned.

By order,

Draft

Asst Secretary.

BANGALORE,

1900

D

Draft

No 7101

438 S. 3

one & 2 files

Office of the

Inspector General of Police in Mysore.

Dated Bangalore, 25th May 1904.

26

From,

F.E.C. Carr Esqr.,

Inspector General of Police in Mysore.

To,

L. Anantasami Rao Esqr., B.A.,

Offg. Secretary to the Government of His Highness the Maharaja of Mysore in the General and Revenue Departments.

Sir,

Reference:- Your Memorandum No. 2202/J dated the 18th April 1904 forwarding the petition of Venkatasamy, late 2nd grade Head Constable of the Kolar Gold Fields Police.

I have the honor to forward herewith the Minute of the Superintendent of Police of the Kolar Gold Fields, together with the records, as per pherist, connected with the dismissal of the petitioner.

Mr. Thomas' exhaustive Minute puts the whole case perfectly clearly and his order of dismissal has been confirmed by both the Deputy Commissioner and the late Inspector General of Police, Mr. Madiah.

The petition and its enclosures received with the Memorandum under reference, are herewith returned.

I have the honor to be,

Sir,

Your most obedient servant,

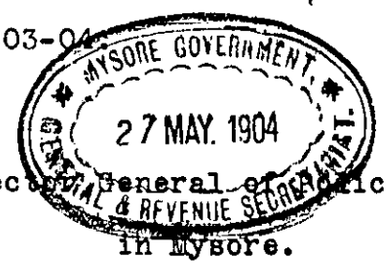
Inspector General of Police.

L.L.

11 Dues 27/5

J 1768

1903-04.



From,

The Inspector General of Police
in Mysore.

To,

The Secretary to the Government
of H.H. the Maharaja of Mysore
in the Genl. and Rev. Deptts.

Dated 25th

Despatched 26 May 1904.

Received

General No. 710 1/438
No.

Enclosure No. one of 2 files.

---- ---------- ----------

Forwarding the Minute of the Superintendent of Police, Kolar Gold Fields, together with records connected with the dismissal of Venkatasami, late 2nd grade Head Constable of the Kolar Gold Fields Police.

S. 4 2 annas

Read:—

Letter No. 7101/438 dated the 25th May 1904, from the Inspector General of Police in Mysore, submitting with reference to the appeal Petition of Venkatasami, late 2nd grade Head Constable, Kolar Gold Fields, a minute of the Superintendent of Police, Kolar Gold Fields, dated 30 Sept. 1903, together with the records connected with the Petitioner's dismissal from service on charges of alleged extortion and neglect of duty.

No. 2682-4 14/6/04 F. Records

Order thereon:—

Government are not satisfied that the grounds given in the Police Superintendent's minute, for the dismissal of the Petitioner

from service, are adequate. Of the two charges specified in the Minute, one (that of extortion) was held by the trying Magistrate not to be proved. The other related to certain omissions for which he was found fault with in connection with an investigation. The Petitioner appears to have borne a good character before he joined the Police Dept. He also obtained rewards on 3 separate occasions for good service as Head Constable; a fact which is not quite compatible with the assertion that "ever since his transfer to executive work "his conduct has been "unsatisfactory throughout."

Under these cir-

Memorandum for Government was characterized as "vague, discrepant and unfounded with suspicion throughout and was quite insufficient to make out a prima facie case against the accused"

but no malpractices were substantiated.

-cumstances, Govt
Considers that the
extreme punishment
of dismissal is not
called for in the present case, Govt
they therefore direct that
the Petitioner be
re-entertained and given
a trial, in some
place other
than the Kolar Gold
Fields where there
may be a suitable
reasons.

that if
doesn't
satisfactory
new place the question
of his final removal
from Service
be Considered.

8/11/04

11/6/04

6.6.04

Secretary

To.
The Inspector General
of Police in Mysore
returning the records.

No: 1

2683 R 14/6/04.

J Encl:-

In reply to his letter cited
No 2267 dated the 30th
March 1904, C. Venkatasamy
Lab 2d Grade Head Constable
of the Kolar Gold Fields
Police, (now C. Panpadi,
Writer, Office of the No. 9-19 Party,
Survey of India, Templetown
Residency Road, Bangalore)
is informed that
~~the Govt have~~ the
Inspector General of Police
has been ordered to
re-enlist ~~the petitioner~~ a
fresh
trial in some place other
than the Gold Fields
where there may be a suitable
vacancy.

1
Encl
8.VI.04

66 cy

9/6
DI Police